

1 JOHN A. RUSSO, City Attorney, State Bar No. 129729  
2 RANDOLPH W. HALL, Assistant City Attorney, State Bar No. 080142  
3 ROCIO V. FIERRO, Senior Deputy City Attorney, State Bar No. 139565  
4 One Frank H. Ogawa Plaza, 6<sup>th</sup> Floor  
5 Oakland, CA 94612  
6 Telephone: (510) 238-8511  
7 20752/343182

8 Attorneys for Defendants  
9 CITY OF OAKLAND, et al.

10 ROCKNE A. LUCIA, JR., ESQ., State Bar No. 109349  
11 RAINS, LUCIA & WILKINSON, LLP  
12 2300 Contra Costa Blvd., Suite 230  
13 Pleasant Hill, CA 94521  
14 Telephone: (925) 609-1699

15 Attorneys for Interveners  
16 OAKLAND POLICE OFFICERS ASSOCIATION

17 JAMES B. CHANIN, ESQ., State Bar No. 076043  
18 LAW OFFICES OF JAMES B. CHANIN  
19 3050 Shattuck Avenue  
20 Berkeley, CA 94705  
21 Telephone: (510) 848-4752

22 Attorneys for Plaintiffs

23 JOHN L. BURRIS, ESQ., State Bar No. 069888  
24 LAW OFFICES OF JOHN L. BURRIS  
25 Airport Corporate Center  
26 7677 Oakport Road, Suite 1120  
Oakland, CA 94621  
Telephone: (510) 839-5200

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

DELPHINE ALLEN, et al.,

Plaintiffs,

v.

CITY OF OAKLAND, et al.,

Defendants.

Master Case No.: C00-4599 TEH (JL)

**STIPULATION AND ORDER RE:  
DEFINITION OF OPERATIONAL CHAIN  
OF COMMAND PURSUANT TO  
SECTION III. N OF THE SETTLEMENT  
AGREEMENT**

[Honorable Thelton E. Henderson]

**STIPULATION**

IT IS HEREBY STIPULATED by and between the parties that Section III. N (Task 15) is hereby amended as follows to reflect a change in the review process from the, "operational chain of command" to the "appropriate chain-of-review" and "from lieutenant" to "first-level commander".

Section III, N. (Task 15), "Reviewing Findings and Disciplinary Recommendations," shall read as follows:

On or before June 15, 2005, OPD shall develop a policy to ensure that, except upon written authorization from the Chief of Police, the appropriate chain-of-review, from the first-level commander up, shall be responsible for reviewing recommended findings and the Discipline Officer shall be responsible for making disciplinary recommendations in sustained internal investigations.

///

///

///

///

///

///

///

///

///

///

///

1 Dated: January 25, 2007

OAKLAND CITY ATTORNEY'S OFFICE

2  
3  
4 By: Rocio V. Fierro  
ROCIO V. FIERRO, Attorneys for Defendant  
CITY OF OAKLAND

5  
6 Dated: January 29, 2007

RAINS, LUCIA & WILKINSON, LLP

7  
8  
9 By: Rockne Lucia  
ROCKNE LUCIA, Attorney for Interveners  
OAKLAND POLICE OFFICERS ASSOCIATION

10  
11 Dated: January 26, 2007

LAW OFFICES OF JAMES B. CHANIN

12  
13  
14 By: James B. Chanin  
JAMES B. CHANIN, Attorney for Plaintiffs

15  
16 Dated: January \_\_, 2007

LAW OFFICES OF JOHN BURRIS

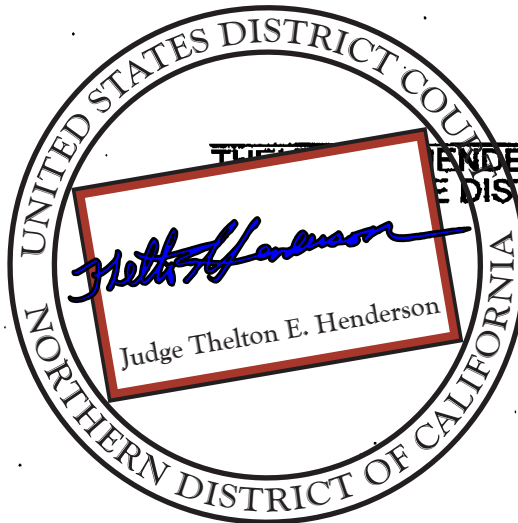
17  
18  
19 By: John L. Burris  
JOHN L. BURRIS, Attorney for Plaintiffs

ORDER

IT IS HEREBY ORDERED that Sections III.N of the Settlement Agreement approved by this Court on or about January 22, 2003 is ~~2007~~, are hereby revised and modified, consistent with the terms of the Parties' Stipulation.

IT IS SO ORDERED.

Dated: 01/31/07



HENDERSON  
DISTRICT COURT